

11077. Adulteration of shelled pecans. U. S. v. 12 Cases * * *. (F. D. C. No. 19797. Sample No. 56382-H.)

LABEL FILED: April 26, 1946, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about December 13, 1945, by the Guadalupe Valley Pecan Co., from San Antonio, Tex.

PRODUCT: 12 cases, each containing 12 8-ounce packages, of shelled pecans at Oklahoma City, Okla.

LABEL, IN PART: "Home Delight Brand Pecans Shelled."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy pecans.

DISPOSITION: June 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11078. Adulteration of pecan meats. U. S. v. 44 Cartons * * * (and 5 other seizure actions). (F. D. C. Nos. 19656, 19657, 19720, 19867, 19912, 19913. Sample Nos. 1459-H, 1913-H, 3282-H, 8996-H, 41754-H, 41755-H, 41883-H, 52933-H.)

LABELS FILED: April 19, 22, and 26, and May 11, 14, and 15, 1946, Southern District of West Virginia, Northern District of New York, District of Maryland, Southern District of Ohio, Northern District of Georgia, and Eastern District of Virginia.

ALLEGED SHIPMENT: Between the approximate dates of February 2 and April 19, 1946, by the Orangeburg Pecan Co., from Orangeburg, S. C., and Camilla, Ga.

PRODUCT: Pecan meats. 1,540 pounds at Huntington, W. Va., 1,800 pounds at Binghamton, N. Y., 450 pounds at Cumberland, Md., 125 pounds at Dayton, Ohio, 1,200 pounds at Atlanta, Ga., and 1,500 pounds at Norfolk, Va. The product was contained in 25-, 30- and 60-pound cartons. The various shipments were found to contain pecans which were, in one or more respects, rancid, decomposed, moldy, shriveled, and insect-infested.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed substance, or both; and in addition, a portion was otherwise unfit for food by reason of the presence of shriveled pecans.

DISPOSITION: On July 18, 1946, the Orangeburg Pecan Co., claimant for the Huntington lot, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The unfit portion of the product was segregated and destroyed.

Between May 27 and July 18, 1946, no claimant having appeared for the other lots, judgments of condemnation were entered and the product was ordered destroyed.

11079. Adulteration of pecan meats. U. S. v. 29 Boxes * * *. (F. D. C. No. 19598. Sample No. 49242-H.)

LABEL FILED: April 9, 1946, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about February 4 and 15, 1946, by the C. S. Carter Shelling Plant, from Camilla, Ga.

PRODUCT: 29 30-pound boxes of pecan meats at New Orleans, La. Examination showed that the product contained rodent hairs and *E. coli*.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance.

DISPOSITION: August 21, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11080. Adulteration of pistachio nuts. U. S. v. 4 Cases * * *. (F. D. C. No. 19321. Sample No. 50946-H.)

LABEL FILED: March 9, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about December 12, 1945, by the Zenobia Co., Inc., from New York, N. Y.

PRODUCT: 4 cases, each containing 12 5-pound bags, of pistachio nuts at Minneapolis, Minn.

LABEL, IN PART: "XX Zenobia Jumbo Queen Pure White Pistachio Nuts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and insect excreta.

DISPOSITION: June 24, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed unless denatured and disposed of as animal feed.

11081. Adulteration of black walnut kernels. U. S. v. 20 Cartons * * *. (F. D. C. No. 19645. Sample No. 53105-H.)

LIBEL FILED: April 22, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 17, 1946, by the Lefkovits-Fleisman Co., from Nashville, Tenn.

PRODUCT: 20 50-pound cartons of black walnut kernels at Columbus, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted of whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 28, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed.

11082. Adulteration of black walnut kernels. U. S. v. 2 Cartons * * *. (F. D. C. No. 19644. Sample No. 59637-H.)

LIBEL FILED: April 18, 1946, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 18, 1945, by the Lefkovits-Fleisman Co., Nashville, Tenn.

PRODUCT: 2 50-pound cartons of black walnut kernels at Pittsburgh, Pa. Examination of the product showed the presence of *E. coli*, which indicates pollution of fecal origin.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of *E. coli*.

DISPOSITION: May 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

OILS AND FATS

11083. Misbranding of french dressing. U. S. v. 80 Cases * * *. (F. D. C. No. 19266. Sample No. 8095-H.)

LIBEL FILED: March 11, 1946, District of New Jersey.

ALLEGED SHIPMENT: Between the approximate dates of December 18, 1945, and January 22, 1946, by the Italian Cook Oil Corp., from Brooklyn, N. Y.

PRODUCT: 80 cases, each containing 36 6-ounce bottles, of french dressing at Newark, N. J.

LABEL, IN PART: "Royal Cook Brand * * * Enriched with Olive Oil French Dressing."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Enriched with Olive Oil French Dressing" was false and misleading since the french dressing contained an insignificant amount, if any, of olive oil.

DISPOSITION: June 17, 1946. The Italian Cook Oil Corp., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

11084. Adulteration of mayonnaise. U. S. v. 76 Cases * * *. (F. D. C. No. 19431. Sample No. 1163-H.)

LIBEL FILED: March 15, 1946, Middle District of North Carolina.

ALLEGED SHIPMENT: Between the approximate dates of January 25 and February 7, 1946, by the Dixie Produce Co., Columbia, S. C.